



Atty. Dkt. No. 040373-0301

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Tatsuya ISHII
Title: VARIABLE-GAIN DIGITAL FILTER
Appl. No.: 09/741,194
Filing Date: 12/21/2000
Examiner: Unassigned
Art Unit: 2631

#9

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

RECEIVED

MAY 27 2003

Commissioner for Patents
Washington, D.C. 20231

Technology Center 2600

Sir:

Submitted herewith on a modified Form PTO SB/08 is a listing of document(s) known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 C.F.R. § 1.56. A copy of the listed document(s) is being submitted to comply with the provisions of 37 C.F.R. §§ 1.97-1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 C.F.R. § 1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* prior art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The instant Information Disclosure Statement is being filed before the mailing date of a first action under the provisions of 37 C.F.R. § 1.97(b)(3). In the alternative, the

instant Information Disclosure Statement is being filed under the provisions of 37 C.F.R. § 1.97(c)(1).

STATEMENT UNDER 37 C.F.R. § 1.97(e)

The undersigned hereby states in accordance with 37 C.F.R. § 1.97(e)(1) that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this Statement.

RELEVANCE OF EACH DOCUMENT

The documents listed on the attached PTO/SB/08B were cited as being relevant during the prosecution of the corresponding Korean application. A copy of an English language abstract of the listed documents, if available, is being provided. The absence of a translation or an English-language counterpart document does not relieve the PTO from its duty to consider this document (37 C.F.R. § 1.98 and M.P.E.P. § 609).

The Examiner in the corresponding Korean patent application has commented as follows:

* * * * *

Reason

The invention described in each item of the Scope of Patent Claims of this invention could have been easily devised as outlined below by a person having a normal level of knowledge in the technological field to which this invention belongs before the application was submitted. For this reason, it cannot be awarded a patent as set forth in the stipulations of Article 29, Section 2 of the Patent Law.

It will be found that the descriptions in the Scope of Patent Claims in this application are incomplete as pointed out below, and that it cannot be awarded a patent as it does not satisfy the conditions set forth in Article 42, Section 4 of the Patent Law.

(Reasons)

1. All sections of the Scope of Patent Claims of this application pertain to gain-variable digital filters, and they claim gain adjustment circuits, integrators, multipliers, selectors and similar components as their characteristics. However, these are things that pertain to digital control filters and the Cited Invention 1 (Japanese Unexamined Patent Application Publication H3-124110), which is made up of multipliers and integrators and to digital filter devices, and it will be judged that the party in question would have been able to devise this invention easily by combining them with Cited Invention 2 (Japanese Unexamined Patent Application Publication H6-140876), which is made up of control devices, multipliers and other similar components. (Article 29, Section 2 of the Patent Law)
2. In Item 1 of the range of patent claims of this application, the descriptions of the presumed parts, which serve as the basic, constituent components of the gain-variable digital filter, are unclear. It will be judged that it would be difficult to achieve the goals of the invention with just the gain adjusting circuit (selector, multiplier), there is no specific (mathematical) description of the calculation of the output value, and the invention is not described clearly and concisely. (Patent law Article 42, Section 4)

(Attachments)

Attachment 1:One copy of Cited Invention 1, Japanese Unexamined Patent Application Publication H03-124110 (05/27/1991)

Attachment 2:One copy of Cited Invention 2, Japanese Unexamined Patent Application Publication H06-140876 (05/20/1994).

March 8, 2003

Patent Office Jae Moon Kim Investigator
 Investigation Bureau 4
 Investigation Supervisor Team, Electronics

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It is believed that the instant information disclosure statement is being filed prior to the mailing date of any Notice of Allowance or Final Office Action. However, if this information disclosure statement is filed after the mailing date of the Notice of Allowance or Final Office Action, then applicant(s) hereby request(s) and authorize(s) the PTO to charge the fee under 37 CFR 1.17(p) to Deposit Account No. 19-0741.

Applicant respectfully requests that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08B be returned in accordance with M.P.E.P. § 609.

Respectfully submitted,

Date May 21, 2003

By David A. Blumenthal

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Tatsuya ISHII	Examiner:	Unassigned
Serial No.:	09/741,194	Group Art Unit:	2631
Filed:	December 21, 2000	Docket:	040373-0301
Title:	VARIABLE-GAIN DIGITAL FILTER		

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described herein, are being deposited in the United States Postal Service, as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on: **May 22, 2003**

By: Richard Ruggiero

Richard Ruggiero

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Commissioner for Patents
Washington, D.C. 20231

MAY 27 2003

Sir:

Technology Center 2600

We are transmitting herewith the attached:

- ☒ Information Disclosure Statement (including partial translation of Office Action)
- ☒ Form PTO-Form SB08
- ☒ Copies of Cited References (3)
- ☒ Return postcard

Please charge any fees associated with this transmittal to Deposit Account No 19-0741. **A duplicate of this sheet is enclosed.**

Date: **May 22, 2003**

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